

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of )
)
NIA BROADCASTING, INC. ) MB Docket No. 21-82
Application for Renewal of License ) File No. 0000094838
Station WSYL(AM), Sylvania, GA ) Facility ID No. 58752

ORDER TERMINATING PROCEEDING

Issued: March 29, 2021

Released: March 29, 2021

1. By Hearing Designation Order and Notice of Opportunity for Hearing (NIA HDO) in the above-captioned matter, the Chief, Media Bureau, pursuant to delegated authority, commenced a hearing proceeding to determine whether Station WSYL(AM), Sylvania, GA, licensed to NIA Broadcasting, Inc., has served the public interest such that its license should be renewed. The basis for the Media Bureau's action is the station's extended periods of silence from the time NIA Broadcasting became the licensee of WSYL(AM) in 2018 to the present. Specifically, the NIA HDO designated the following issues for hearing:

- (a) To determine, with respect to station WSYL(AM), Sylvania, Georgia, whether, during the preceding license term, (i) the Station has served the public interest, convenience, and necessity, (ii) there have been any serious violations by the licensee of the Communications Act of 1934, as amended, or the rules and regulations of Commission, and (iii) there have been any other violations of the Communications Act of 1934, as amended, or the rules and regulations of the Commission which, taken together, would constitute a pattern of abuse; and
(b) In light of the evidence adduced pursuant to issue (a) above, whether the captioned application for renewal of the license for station WSYL(AM) should be granted on such terms and conditions as are appropriate, including renewal for a term less than the maximum otherwise permitted, or denied due to failure to satisfy the requirements of section 309(k)(1) of the Communications Act of 1934, as amended, 47 U.S.C. § 309(k)(1).

2. To avail itself of the opportunity to be heard and the right to present evidence at the hearing, NIA Broadcasting was directed by the Media Bureau to file a written appearance within 20 days of the mailing of the NIA HDO stating that it would appear at the hearing and present evidence on the issues specified. Representatives of NIA Broadcasting did so on March 23, 2021. On the same day, the

1 NIA Broadcasting, Inc., MB Docket No. 21-82, Hearing Designation Order and Notice of Opportunity for Hearing, DA 21-285 (rel. Mar. 9, 2021).

2 NIA HDO at para 27.

3 NIA HDO at para. 28; see also 47 CFR § 1.221(c).

4 NIA Broadcasting, Notice of Appearance, MB Docket No. 21-82 (Mar. 23, 2021).

licensee also filed a motion to terminate this hearing proceeding based on its March 10, 2021, letter to the Commission surrendering its license for WSYL(AM).<sup>5</sup> On March 24, 2021, the FCC's Enforcement Bureau filed a response to NIA Broadcasting's motion indicating that it does not object to termination of the proceeding.<sup>6</sup>

3. Given NIA Broadcasting's decision to surrender its license for Station WSYL(AM) rather than pursue renewal, the specific issues designated for hearing by the Media Bureau in the *NIA HDO* are moot. As a result, NIA Broadcasting's application for renewal of its license for Station WSYL(AM) is dismissed and this proceeding is terminated.

4. Accordingly, **IT IS ORDERED** that, as a result of the voluntary surrender by NIA Broadcasting of its license for Station WSYL(AM), Sylvania, GA, the above-captioned application IS **DISMISSED WITH PREJUDICE**.

**IT IS FURTHER ORDERED** that the hearing proceeding in the above-captioned matter IS **TERMINATED**.

FEDERAL COMMUNICATIONS COMMISSION



Jane Hinckley Halprin  
Administrative Law Judge

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<sup>5</sup> NIA Broadcasting, Motion to Terminate Proceeding, MB Docket No. 21-82 (Mar. 23, 2021) (citing Letter from John C. Trent, Counsel for NIA Broadcasting, to Secretary, Federal Communications Commission, re Surrender of Radio Station License for WSYL(AM), Sylvania, GA, dated Mar. 10, 2021).

<sup>6</sup> Enforcement Bureau's Response to NIA Broadcasting, Inc.'s Motion to Terminate, MB Docket No. 21-82 (Mar. 24, 2021).